# **United States District Court**

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

V.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JQÉ-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Kimberlee Wilson individually 1 Plaza South Box 113, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

DEFENDANT AND THIRD

Joyce, Paul & McDaniel PLLC

1717 South Boulder, Suite 200

PARTY PLAINTIFES

ATTORNEYS:

A. Scott McDaplel

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street

By) DEPUTY CLERK

502 West 6<sup>th</sup> Street
Tulsa, OK 74119
For Peterson Farms

Public W. George
Rutack Rock LLP
The Three Sisters Building
214 West Dickson Street

For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Fayetreville, AR 72701-5221

Robert P. Redemann Lawrence W. Zeringue David C. Senger Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.
George W. Owens
Pandall F. Rose

Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-00E-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Elsie Tarrance individually 18662 Welling Road,

Welling OK 74471

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIEFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 (Tulsa, Ok. 74119 For Poterson Farms

Robert W. George Katack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Page 2 of 40°

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do sc, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Longbardi

Clerk

Date

# **United States District Court**

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JQE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Willie Tarrance individually

18662 Welling Road, Welling OK 74471

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6<sup>th</sup> Street
Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDanjel
Joyce. Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa. OK 74119
Fox Peterson Farms

Robert W. George Luack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Clerk

MAR 1 5 2006

Date

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

ν.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-03/29-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Tom Tate Service agent for Illinois River Valley Nursery 6611 N. Star Ridge Road, Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Fulse, OK 74119
Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules C.vil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Date

Clerk

# **United States District Court**

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-8AJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Katherine Brown individually 3800 W. 71st Street, Apt. #2307, Tulsa OK 74132

a OR 7415#

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce. Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa. OK 74119
For Peterson Farms

Robert W. George Knack Rock LLP The Three Sisters Building 2/4 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Eirod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Clerk

(By) DEPUTY CLERK

MAR 1 5 2006

Date

# **United States District Court**

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Kermit Brown individually 3800 W. 71st Street, Apt. #2307, Tulsa OK 74132

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Alten Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFES ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Poulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Protect W. George The Three Sisters Building 214 West Dickson Street Fayet:eville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

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# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Dean Wilmoth

c/o Donna McReynolds

398 Raines Rd.,

Siloam Springs AR 72761

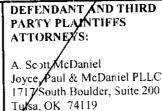
THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010



Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

For Peterson Farms

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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Phil	Lombardi	 
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Date

# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Katherine L. Tye individually

Rt. 2, Box 1300, Watts OK 74964

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK /14119 For Peterson Farms

Robert W. George Kurack Rock LLP The Three Sisters Building 214 West Dickson Street Favetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Clerk

Date

MAR 1 5 2006

# United States District Court Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

V.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Erin Jones individually 425 E. McKellips Rd Lt 45,

Mesa AZ 85203

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK, 74119
For Peterson Farms

Robert W. George Kutach Rock LLP The Thier Sisters Building All West Dickson Street Fayetreville, AR 72701-5221 Hor Tyson Foods, Inc.

K. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 F.obert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Clerk

Date

# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

**DEFENDANTS AND THIRD-PARTY PLAINTIFFS** 

v.

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

James Thomas Jones individually 425 E. McKellips Rd Lt 45,

Mesa AZ 85203

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce. Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Longbardi

MAR 1 5 2006

Clerk

Date

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A **CIVIL ACTION** 

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Isabel Baker Co-trustee of the **Baker Family Trust** 113 S Harrison Ave.,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### **PLAINTIFF ATTORNEY**

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & Mc aniel PLLC 1717 South Boylder, Suite 200 Tulsa, OK 74/19 For Peterson Farms

Abert W. George Kutack Rock LLP be Three Sisters Building 4 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Fobert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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MAR 1 5 2006

Date

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Tim Baker Co-trustee of the Baker Family Trust
113 S Harrison Ave.,
Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building (2) 4 West Dickson Street Fretteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 F.obert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Page 12 of 40

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do sc, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complain: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Date

Phil Lombardi

MAR 1 5 2006

Clerk

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JØE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Dale E. Mathews Co-trustee of the

Dale E. Mathews Trust

806 Kaufman, Tahlequah OK 74451

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa OK 74119
For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the plaim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Date

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

ν.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JQE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Ellen Mathews Co-trustee of the Dale E. Mathews Trust 806 Kaufman, Tahlequah OK 74451

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

# DEFENDANT AND THIRD PARTY PLAINTUFS ATTORNEYS:

A. Scott McDaniel Joyce. Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Fobert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do sc, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 1 5 2006

# **United States District Court**

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Carl Merseburgh individually 10942 S. Darlington Ave., Tulsa OK 74137

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Alten Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Feterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 114 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complain: unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

**DEFENDANTS AND THIRD-PARTY PLAINTIFFS** 

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Gail B. Wilton individually 10942 S. Darlington Ave.,
Tulsa OK 74137

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74/19
For Peterson Farms

Robelt W. George Kutack Rock LLP Which three Sisters Building 214 West Dickson Street Payetteville, AR 72701-5221 For Tyson Feods, Inc.

R. Thomas Lay Kerr, frvine, Rhodes & Ables 201 Robert S. Kerr Avc., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

For Cal-Maine Foods, Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombargi	
Clork	Date

(By) DEPUTY CLERK

MAR 1 5 2006

### AO 441 (Rev. 5/85) Third Party summons in a Civil Action **United States District Court**

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JØE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Anthony Wayne Hare individually To: 25881 E. Lane School Rd., Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaplel Joyce. Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa. OK 74119 For Peterson Farms

Robert W. George Katack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C . Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

For Cal-Maine Foods, Inc. George W. Owens Randall E. Rose

The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do sc, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complain: unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Date

Clerk

# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Brenda K. Spears individually

7704 Highway 10, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

CIVIL ACTION

THIRD PARTY SUMMONS/IN A

CASE NUMBER: 05-CV-0329-JØE-SAJ

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDanie Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK **7**4119 For Peterson Farms

Robert W. George Kutzick Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of sorvice. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombard

Clerk

Date

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Brooks P. Connor individually To: 1111 Wilcox Road, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINT/FFS ATTORNEYS:

A. Scott McDaniel Joyce. Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, ØK. 74119 For Aseterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 V/est Dickson Street Fayet:eville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 F.obert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P.O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party/Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complain: unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

MAR 1 5 2006

Date

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Carolyn S. Hembree individually PO Box 234. Westville OK 74965

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, ØK 74119 For Jeterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules C vil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

(BN) DEPUTY

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

ν.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Linda Mathis Canada individually

PO Box 185,

Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

DEFENDANT AND THIRD

PARTY PLAINTIFFS

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200

Tulsa, OK /4119 for Peterson Farms Robert W. George

Kotek W. George Kurack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rosc The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

# **United States District Court**

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-8AJ

٧.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Roger K. Mathis Canada individually

PO Box 185,

Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74/19
For Feterson Farms

Robert W. George Runce Rock LLP The Three Sisters Building 114 West Dickson Street Vayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Billie D. Howard individually To: Rt 2 Box 525, Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa OK 74119 Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

	/ /	
Phil	Lombardi	

Date

# Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAG

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Richard M. Taylor individually

2835 N. Shiloh #282, Garland TX 75044

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & MgDaniel PLLC 1717 South Boxilder, Suite 200 Tulsa, OK 7/119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayet eville, AR 72701-5221 For Tyson Foods, Inc

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2000

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Longbardi

Clerk

Date

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

v.

TYSON FOODS, INC. et al.

**DEFENDANTS AND THIRD-PARTY PLAINTIFFS** 

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Ivan Marion individually Rt 2 Box 268A, Lincoln AR 72744

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND TAIRD PARTY PLAINTIFES ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Kurack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13<sup>th</sup> Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demandir g judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi		MAR 1 5 2006
Clerk	Date	
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# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

ν.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Daniel L. Parker individually

29042 S. Ranch Lane, Park Hill OK 74451

YOU ARE HEREBY SUMMONED and required to file with the exerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

#### DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74179
For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foeds, Inc.

R. Tho nas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil	Lombardi

Clerk

Date

MAR 1 5 2006

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

**DEFENDANTS AND THIRD-PARTY PLAINTIFFS** 

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

**Bartow Hix individually** 11709 N 569 Rd, Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDariel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Coxack Brock LLP The Three Sisters Building West Dickson Street a etteville, AR 72701-5221 or Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

For Cal-Maine Foods, Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complain: unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil	Lombardi

Clerk

Date

# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Rickey Joe Hix individually 12231 N. 569 Rd., Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building T14 West Dickson Street Fayetieville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.
George W. Owens

Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil	Lombardi	

Date

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# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rcl., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Rita Hix individually 12231 N. 569 Rd., Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

(By) DEPUTY CLERK

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLQ
1717 South Boulder, Suite 200
Tulsa OK 74119
For Peterson Farms

Robert W. George Kutack Rock LL The Three Sisters Building 214 Vest Dickson Street Fayerte We, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 F.obert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119

Tulsa, OK 74119
For George's Inc.

8885 4 F 2000

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any. to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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Phil Lombardi		
Clerk	Date	
& Man Dans		

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Jerry Wayne Hare d/b/a Crystal Creek Ranch 25881 E. Lane School Rd., Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010

By) DEPUTY CLERK

DEFENDANT AND THIRD PARTY PLAINTIEFS ATTORNEYS:

A. Scott McDaniel
Joyce. Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa. OK 74119
For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayet eville, AR 72701-5221 For Tyson Foods, Inc

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demandir g judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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Phil Loghbardi		
Clerk	Date	
/ S.M. Q.A		

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS/IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Jerry Wayne Hare individually To: 25881 E. Lane School Rd., Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFES ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kurack Rock LLP he Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Date

MAR 1 5 2006

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Mary Jo Hare as Trustee of the Mary Jo Hare Revocable Trust 25881 E. Lane School Road, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIEFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa OK 74119
For Paterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 F. Obert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi
Clerk
Date

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

٧.

TYSON FOODS, INC. et al.

**DEFENDANTS AND THIRD-PARTY PLAINTIFFS** 

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-9329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Anthony Wayne Hare d/b/a Crystal Creek Ranch 25881 E. Lane School Rd., Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to fale with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott/McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Feods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi		MAR 1 5 2006	
Clerk	Date		

### **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA,

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Farrell Hamm individually RR 3 Box 1460,

**RR 3 BOX 1400**, **Stilwell OK 74960** 

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 114 West Dickson Street Faxoneville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa. OK 74101-1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombard		MAR 1 5 2006		
Clerk	Date			
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### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., ct al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Tony Hamm individually To: RR 3 Box 1460,

Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

(By) DEPUTY CLERK

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 2/14 West Dickson Street Fayeneville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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Phil Lombardi		
Clerk	Date	
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### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA,

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Darylene Hamm individually RR 3 Box 1490, Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Parms

Robert W. George Kutack Bock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 for Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

MAR 1 5 2006

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil	Lombardi

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Date

Clerk

# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Tom Hamm individually

RR 3 Box 1480.

Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS, ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Poulder, Suite 200 Tulsa, OK /74119 For Peterson Farms

Rober: W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, rvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue

David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombard

Clerk

Date

MAR 1 5 2006

# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Jim R. Bagby individually RR 2 Box 1711, Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George

Kutack Rock IA.P
The Three Systers Building
214 West Dickson Street
Fayeticyllie, AR 72701-5221
For Tyson Foods, Inc.

Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue

David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa OK 74119

234 West 13<sup>th</sup> Stree Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C.

100 West Center Street, Suite 200

Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi	
Name /	Date

(By) DEPUTY CLERK

MAR 1 5 2006

# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

v.

TYSON FOODS, INC. et al.

**DEFENDANTS AND THIRD-PARTY PLAINTIFFS** 

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Jerry Means individually RR3 Box 1879, Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutage Rock LLP The Three Sisters Building 214 West Dickson Street Payerleville, AR 72701-5221 For It son Foods, Inc.

Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa OK 74101-1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc. George W. Owens

Randall E. Rose The Owens Law Firm, P.C. 234 West 13<sup>th</sup> Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Date

Clerk /

# **United States District Court**

### Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF** 

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Dorothy Ann Means Trustee of the Dorothy Ann Means Trust RR3 Box 1879, Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

#### PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6<sup>th</sup> Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

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Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

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John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi	Data	
S. M. Janl	Date	